

SUMMONS

IN THE CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA

CATHY KNIGHT,

Plaintiffs,

v.

Civil Action No. 06-C-352
JURY TRIAL DEMANDED

AEROTEK, INC. a foreign corporation, f/k/a
ONSITE COMPANIES, VERIZON INTERNET
SERVICES, INC., a foreign corporation, DAWN PICKETT,
THOMAS THORNTON,
WILLIMA BUTZ, RANDALL SONES,
DAVID STANDEVEN, individually and as
corporate agents,

Defendants.

SERVE

TO: Thomas Thornton
7301 Parkway Drive
Hanover, MD 21076

IN THE NAME IF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon plaintiff's attorney, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within ____ days after service of this summons to you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled civil action. Plaintiff's attorney's name and address are as follows:

David M. Hammer, Esq.
Robert J. Schiavoni, Esq.
Hammer, Ferretti & Schiavoni
408 West King Street
Martinsburg, WV 25401

Dated: 5/18/06

Virginia M. Sine
Clerk of Court
Susan C. Phillips
Deputy

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Defendants.

SERVE

**TO: William Butz
7301 Parkway Drive
Hanover, MD 21076**

IN THE NAME IF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon plaintiff's attorney, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within ____ days after service of this summons to you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled civil action. Plaintiff's attorney's name and address are as follows:

David M. Hammer, Esq.
Robert J. Schiavoni, Esq.
Hammer, Ferretti & Schiavoni
408 West King Street
Martinsburg, WV 25401

Dated: 5/18/06

Virginia M. Sone
Clerk of Court
Susan C Phillips
Deputy

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SERVE

Defendants.

**TO: Randall Sones
7601 Parkway Drive
Hanover, MD 21076**

IN THE NAME IF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon plaintiff's attorney, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within ____ days after service of this summons to you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled civil action. Plaintiff's attorney's name and address are as follows:

David M. Hammer, Esq.
Robert J. Schiavoni, Esq.
Hammer, Ferretti & Schiavoni
408 West King Street
Martinsburg, WV 25401

Dated: 5/18/06

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Defendants.

SERVE

**TO: David Standeven
7601 Parkway Drive
Hanover, MD 21076**

IN THE NAME IF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon plaintiff's attorney, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within ____ days after service of this summons to you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled civil action. Plaintiff's attorney's name and address are as follows:

David M. Hammer, Esq.
Robert J. Schiavoni, Esq.
Hammer, Ferretti & Schiavoni
408 West King Street
Martinsburg, WV 25401

Dated: 5/18/06

Virginia M. Sine
Clerk of Court
Susan C Phillips
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CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA

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COMPLAINT

1. The plaintiff is a former employee of Aerotek, Inc. (Aerotek) and Verizon Internet Services, Inc., and pursuant to Rule 23 of the West Virginia Rules of Civil Procedure, is initiating this action as a class action against Aerotek and Verizon.

2. The persons constituting the class are so numerous as to make it impracticable to bring them all before the court, the named individual plaintiff will fairly ensure the adequate representation of the class, and there are common questions of law or fact affecting the several rights and a common relief is sought.

3. Defendant Aerotek is a foreign corporation doing business in Berkeley County, West Virginia. Aerotek formerly did business in Berkeley County as "Onsite Companies."

4. Defendant Verizon Internet Services, Inc. is a foreign corporation doing business in Berkeley County, West Virginia.

5. At all times relevant hereto, Aerotek and Verizon were joint employers of the Plaintiff.

6. Defendant Dawn Pickett was an Aerotek supervisor at the Verizon facility in Berkeley County, WV, and an agent of defendant corporations. On information and belief, Defendant Pickett is a resident of Berkeley County, West Virginia.

7. Defendant Thomas Thornton is the president of Aerotek, Inc.

8. Defendant William Butz is vice-president of Aerotek, Inc.

9. Defendant Randall Sones is secretary of Aeortek, Inc.

10. Defendant David Standeven is treasurer of Aerotek, Inc.

11. Aerotek had a contract with Verizon to provide customer service and other employees to Verizon at its Martinsburg, West Virginia facility.

12. Aerotek employees working for Verizon were trained by Verizon, worked with Verizon employees and were supervised by both Aerotek and Verizon.

13. Aerotek employees were required, under penalty of discipline, to arrive at work early at which time said employee were permitted, required, and did suffer, to work by Verizon and Aerotek, or by Aerotek for the good of, and on behalf of, Verizon, off the clock.

14. Aerotek employees were required, under penalty of discipline, to maintain phone contact with customers after the end of their shift at which time said employee were permitted, required, and did suffer, to work by Verizon and Aerotek, or by Aerotek for the good of, and on behalf of, Verizon, off the clock.

Count 1

15. Plaintiff incorporate by reference the allegations as stated in paragraphs 1 through 14 of the complaint.

16. The failure to pay wages during periods for time when plaintiff suffered or was permitted to work violates the West Virginia Wage Payment and Collection Act.

17. The named individual defendants knowingly permitted, as individuals and as corporate agents, the violation of said laws.

Count 2

18. Plaintiff incorporates by reference the allegations as stated in paragraphs 1 through 17 of the complaint.

19. Defendants are employers as defined under the Fair Labor Standards Act.

20. Plaintiff is a non-exempt employee as defined under the Fair Labor Standards Act.

21. Defendants maintain a practice of not paying time and a half for time worked in excess of 40 hours per week in violation of federal and state laws.

Wherefore, plaintiffs demands judgment against defendants for liquidated damages, pre- and post-judgment interest, compensatory and punitive damages, costs, attorneys' fees, injunctive relief prohibiting illegal pay practices and reprisals, a full accounting of all wages owed, and all other relief deemed appropriate by this Court.

Plaintiffs request a jury trial.

Dated this 17th day of May, 2006.

/s/ Plaintiff
By Counsel



David M. Hammer, Esquire
WV Bar #5047



Robert J. Schiavoni, Esquire
WV Bar #4365

HAMMER, FERRETTI & SCHIAVONI
408 West King Street
Martinsburg, WV 25401
(304) 264-8505

Counsel for Plaintiff